

**UTILITY PATENT APPLICATION TRANSMITTAL**  
(for Noncontinuing, Nonprovisional Applications  
under 37 C.F.R. §1.53(b))

Attorney Docket No. 79109

03508 U.S. PTO  
10/627908  
07/25/03

Mail Stop PATENT APPLICATION  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Transmitted herewith for filing under 37 C.F.R.  
§1.53(b) is the nonprovisional, noncontinuing  
patent application for:

Title: IMPROVED PROCESS FOR  
ELECTROSTIMULATION TREATMENT  
OF MORBID OBESITY

First Named Inventor or Application Identifier:  
CHEN

CERTIFICATE OF MAILING BY "EXPRESS MAIL"

"Express Mail" Mailing Label Number

EV 323494112 US

Date of Deposit July 25, 2003

I hereby certify that this paper or fee is being deposited  
with sufficient postage utilizing the United States Postal  
Service "Express Mail Post Office to Addressee" Service  
under 37 CFR §1.10 on the date indicated above and  
is addressed to the Commissioner for Patents,  
P.O. Box 1450, Alexandria, VA 22313-1450.

Edward Price

(Typed or printed name of person mailing)

*Edward Price*  
(Signature of person mailing)

- ☒ 15 pages of the specification (including claims) are enclosed.
- ☒ 2 sheet(s) of drawings are enclosed. ☐ Formal ☒ Informal
- ☐ An executed Oath or Declaration and Power of Attorney naming the actual inventors is enclosed.
- ☒ The names of persons believed to be the actual inventors are set forth in the enclosed unexecuted Oath or Declaration and Power of Attorney (§1.41(a) and §1.53(b)).
- ☐ An Assignment of the invention to \_\_\_\_, and cover sheet are enclosed.
- ☐ A check in the amount of \$\_\_\_ to cover the fee for recording the assignment is enclosed.
- ☐ The Recordation Form Cover Sheet includes authorization to charge our Deposit Account for recording the assignment.
- ☐ A 37 C.F.R. §3.73(b) statement is enclosed where an assignee seeks to take action.
- ☐ An Information Disclosure Statement is enclosed.
- ☐ A Form PTO/SB/08 is enclosed.
- ☐ \_\_\_\_ References (copies) listed on the Form PTO/SB/08 are enclosed.
- ☒ A Return Receipt Postcard is enclosed (MPEP §503).
- ☐ Priority of application number \_\_\_\_ filed on \_\_\_\_ in \_\_\_\_ is claimed under 35 U.S.C. §119.
- ☐ A certified copy of the priority document is enclosed.

- ☐ A Computer Program Listing Appendix is enclosed.
  - ☐ A Transmittal Cover Letter for Computer Program Listing Appendix is enclosed.
  - ☐ Two (2) Compact Discs are enclosed.
- ☐ A Nucleotide and/or Amino Acid Sequence Submission is enclosed.
  - ☐ A Computer Readable Copy is enclosed.
  - ☐ A Paper Copy (Identical to Computer Copy) is enclosed.
  - ☐ A Statement Verifying Identity of above Copies is enclosed.
- ☒ The filing fee is calculated below:

Fee Calculation For Claims As Filed

|                                   |    |   |    |   |   |   |    |                  |        |         |
|-----------------------------------|----|---|----|---|---|---|----|------------------|--------|---------|
| Basic Fee                         |    |   |    |   |   |   |    |                  | \$     | 750.00  |
| Independent Claims                | 2  | - | 3  | = | 0 | x | \$ | 84.00            | =      | \$ 0.00 |
| Total Claims                      | 19 | - | 20 | = | 0 | x | \$ | 18.00            | =      | \$ 0.00 |
| Fee for Multiply Dependent Claims |    |   |    |   |   |   |    | \$               | 280.00 |         |
|                                   |    |   |    |   |   |   |    | Total Filing Fee | \$     | 750.00  |

- ☐ Applicant(s) assert entitlement to Small Entity Status, reducing the Filing Fee by half to: \$ 0.00
- ☐ A check in the amount of \$\_\_\_\_\_ to cover the filing fee is enclosed.
- ☒ Charge \$ 750.00 to Deposit Account No. 06-1135.
- ☐ The payment of the Filing Fee is to be deferred until the Declaration is filed. Do not charge our Deposit Account.
- ☒ A separate written request under 37 C.F.R. §1.136(a)(3), which is a general authorization to treat any concurrent or future reply requiring a petition for an extension of time under 37 C.F.R. §1.136(a) for its timely submission as incorporating a petition for an extension of time for the appropriate length of time, is enclosed.
- ☒ The Commissioner is hereby authorized to charge any additional fees which may be required in this application under 37 C.F.R. §§1.16-1.17 during its entire pendency, or credit any overpayment, to Deposit Account No. 06-1135. Should no proper payment be enclosed herewith, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 06-1135. This sheet is filed in triplicate.
- ☐ Also enclosed:

☒ Address all future communications to Customer Number 22242.



July 25, 2003

Date

A handwritten signature in black ink, appearing to be 'R. Kaba', written over a horizontal line.

Richard A. Kaba

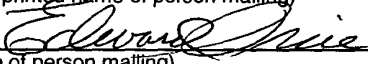
Registration No. 30,562

FITCH, EVEN, TABIN & FLANNERY  
Suite 1600  
120 South LaSalle Street  
Chicago, Illinois 60603-3406  
Telephone: (312) 577-7000  
Facsimile: (312) 577-7007

PATENT

Attorney Docket No. 79109

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

|               |                                                                              |   |                                                                                                                                                                                                                                                                                                                                         |
|---------------|------------------------------------------------------------------------------|---|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Applicant(s): | CHEN                                                                         | ) | <u>CERTIFICATE OF MAILING BY "EXPRESS MAIL"</u>                                                                                                                                                                                                                                                                                         |
| Appln No.:    | N/A                                                                          | ) | "Express Mail" Mailing Label Number                                                                                                                                                                                                                                                                                                     |
|               |                                                                              | ) | <u>EV 323494112 US</u>                                                                                                                                                                                                                                                                                                                  |
| Filed:        | Herewith                                                                     | ) | Date of Deposit <u>July 25, 2003</u>                                                                                                                                                                                                                                                                                                    |
| For:          | IMPROVED PROCESS FOR<br>ELECTROSTIMULATION<br>TREATMENT OF MORBID<br>OBESITY | ) | I hereby certify that this paper or fee is being deposited<br>with sufficient postage utilizing the United States Postal<br>Service "Express Mail Post Office to Addressee" Service<br>under 37 CFR §1.10 on the date indicated above and<br>is addressed to the Commissioner for Patents,<br>P.O. Box 1450, Alexandria, VA 22313-1450. |
| Group Art     |                                                                              | ) | <u>Edward Price</u>                                                                                                                                                                                                                                                                                                                     |
| Unit:         | N/A                                                                          | ) | (Typed or printed name of person mailing)                                                                                                                                                                                                                                                                                               |
|               |                                                                              | ) |                                                                                                                                                                                                                                                      |
| Examiner:     | N/A                                                                          | ) | (Signature of person mailing)                                                                                                                                                                                                                                                                                                           |

**GENERAL AUTHORIZATION FOR PETITION FOR  
EXTENSION OF TIME UNDER 37 C.F.R. §1.136(a)(3)**


Mail Stop PATENT APPLICATION  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicant(s) hereby request under 37 C.F.R. §1.136(a)(3) by this general authorization that any concurrent or future reply submitted by Applicant(s) to the United States Patent and Trademark Office for the above-identified patent application requiring a petition for an extension of time under §1.136(a) for its timely submission be treated as incorporating therein a petition for an extension of time for the appropriate length of time.

If Applicant(s) do not timely pay for any extension fee(s) pursuant to 37 C.F.R. §1.136(a) which may become due for this application under 37 C.F.R. §1.17 by check, the Commissioner is hereby authorized to charge such fee(s), and any additional fees which may be required in this application under 37 C.F.R. §§1.16-1.17 during its entire pendency, or credit any overpayment, to Deposit Account No. 06-1135.

July 25, 2003  
Date

  
Richard A. Kaba  
Registration No. 30,562

FITCH, EVEN, TABIN & FLANNERY  
Suite 1600  
120 South LaSalle Street  
Chicago, Illinois 60603-3406  
Telephone: (312) 577-7000  
Facsimile: (312) 577-7007